

THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

In re: ) Chapter 11  
 )  
BOWMAN DAIRY FARMS LLC, ) Case No. 17-06475-JMC-11  
 )  
Debtor. )

**DEBTOR’S SECOND MOTION PURSUANT TO 11 U.S.C. § 1121(d)  
FOR AN ORDER EXTENDING THE DEBTOR’S EXCLUSIVE  
PERIOD TO SOLICIT VOTES IN CONNECTION WITH ITS PLAN**

Bowman Dairy Farms LLC, the debtor and debtor-in-possession (the “Debtor”) in the above-captioned Chapter 11 case (this “Chapter 11 Case”), by counsel, files this *Debtor’s Second Motion Pursuant To 11 U.S.C. § 1121(d) For An Order Extending The Debtor’s Exclusive Period To Solicit Votes In Connection With Its Plan* (this “Motion”) seeking a 60 day extension of the time in which to file a chapter 11 plan and solicit votes in connection with such plan. The Debtor states the following in support of this Motion:

1. On August 27, 2017 (the “Petition Date”), the Debtor filed with the United States Bankruptcy Court for the Southern District of Indiana, Indianapolis Division (this “Court”), its voluntary petition for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101 et seq., as amended (the “Bankruptcy Code”) commencing this Chapter 11 Case. The Debtor continues to operate its business as debtor-in-possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

2. On February 24, 2018, the Debtor filed *Bowman Dairy Farms LLC’s Disclosure Statement* [Docket No. 135] and *Debtor’s Plan of Reorganization* [Docket No. 136]. The Debtor's exclusive right to solicit votes for its plan as extended by an order of this Court [Docket No. 104] expires on April 24, 2018.

3. On March 19, 2018, the United States Trustee filed *United States Trustee's Limited Objection to Disclosure Statement* [Docket No. 171]. On March 22, 2018, Harvest Land Co-Op, Inc. filed *Creditor Harvest Land Co-op, Inc.'s Objection to Debtor's Disclosure Statement* [Docket No. 178].

4. This Court held a hearing on the Debtor's disclosure statement and the filed objections on March 28, 2018, and entered an order permitting the Debtor to file an amended plan and disclosure statement by April 6, 2018 [Docket No. 183]. If an objection to the amended disclosure statement is filed by April 11, 2018, a hearing will be held on April 16, 2018.

5. By this Motion, the Debtor respectfully seeks entry of an order, *nunc pro tunc* to April 24, 2018, if necessary, extending the period under section 1121(c) of the Bankruptcy Code in which the Debtor has the exclusive right to solicit acceptances for 60 days, up to and including June 23, 2018, without prejudice to the Debtor's right to seek additional and further extensions of this period as may be appropriate under the circumstances.

6. Pursuant to section 1121(d)(1) of the Bankruptcy Code, this Court may, upon a demonstration of cause, extend the Debtor's exclusive period to solicit acceptances of the Debtor's plan. Cause exists for extending the Debtor's exclusive period in this case. The Debtor is in negotiations regarding the amended plan and disclosure statement, and a hearing will be held on April 16, 2018, if objections to the amended disclosure statement are timely filed. In light of the scheduled hearing on the amended disclosure statement, the Debtor requests an extension of the deadline to solicit acceptances of its plan.

WHEREFORE, the Debtor respectfully requests that this Court enter an order, *nunc pro tunc* to April 24, 2018, if necessary, extending the Debtor's exclusive period within which to

solicit acceptances of its chapter 11 plan for 60 days, up to and including June 23, 2018, and grant the Debtor all other just and proper relief.

Respectfully submitted,

FAEGRE BAKER DANIELS LLP

By: /s/ Elizabeth M. Little

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 29, 2018, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to the following parties through this Court's Electronic Case Filing System. Parties may access this filing through this Court's system.

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/s/ Elizabeth M. Little

I hereby certify that on March 29, 2018, a copy of the foregoing pleading was mailed via United States first class mail on the following:

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Cedar Falls, IA 50613

/s/ Elizabeth M. Little\_\_\_\_\_